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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,739	03/31/2004	Norbert Machanek	022233-9052-00	5140

23409 7590 02/24/2010
MICHAEL BEST & FRIEDRICH LLP
100 E WISCONSIN AVENUE
Suite 3300
MILWAUKEE, WI 53202

EXAMINER

CIRIC, LJILJANA V

ART UNIT	PAPER NUMBER
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3744

MAIL DATE	DELIVERY MODE
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02/24/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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100 E WISCONSIN AVENUE
Suite 3300
MILWAUKEE WI 53202

In re Application of:
MACHANEK, NORBERT
Serial No.: 10/813,739
Filed: March 31, 2004
Docket No. 022233-9052-00
Title: HEAT EXCHANGER BLOCK

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:
: DECISION TO ACCEPT
: DUPLICATE PAPER UNDER
: 37 C.F.R. 1.181
:
:

This is a decision on the communication filed on February 25, 2009. The petitioner requests withdrawal of the holding of abandonment and accept a duplicate response pursuant to 37 CFR 1.181(a).

The request is GRANTED.

The present application was held abandoned for failure to timely respond to the non-final Office action mailed on July 31, 2006 which set a one-month shortened period for reply. Notice of abandonment was mailed on February 12, 2007.

Applicant asserts that a timely response to the non-final office action was mailed to the Office on August 24, 2006. The applicant has supplied a copy of a Response to Official Action indicating a mailing date of August 24, 2006. The applicant has also provided a Certificate of Mailing pursuant to 37 CFR 1.8, dated August 24, 2006. Finally, the applicant has provided a copy of USPTO receipt stamp dated August 28, 2006 at 4:40PM as an acknowledgement of receipt.

As applicant has provided convincing evidence that a timely reply to the non-final Office action of July 31, 2006 was mailed to the Office on August 24, 2006, there is no abandonment in fact. Any inconvenience or delay caused to applicant is regretted.

In view of the above, the abandonment of the application is in error and is hereby rescinded. This application is being forwarded to the examiner in Art Unit 3744 for appropriate action.

PETITION GRANTED

A handwritten signature in black ink, appearing to read "Robert Olszewski", written over a horizontal line.

Robert Olszewski, Director
Technology Center 3700